

REMARKS

Claims 1 and 4 are amended and Claim 27 is added. Claims 1-14 and 20 are now pending.

35 U.S.C. § 102 - APA.

Applicant requests reconsideration of the rejection of claims 1-3, 7, and 20 under 35 U.S.C. §102(a) as being anticipated by admitted prior art.

The Office action interprets "compressed wadding material" as reading on "felt". Under this interpretation, a felt washer could only read on claim 1 if the claim was construed as encompassing washers consisting of wadding material that was permanently compressed throughout the washer. Unlike the stable felt that is used to form washers in the prior art, wadding material is essentially unstable material - the layers of wadding are somewhat free to move relative each other (see page 5 lines 10-12). Therefore, the felt used in the prior art washers cannot be considered to meet the claim term "wadding material" as alleged by the examiner.

Claim 1 recites a washer comprising wadding material having an uncompressed portion, an aperture extending through the wadding material, and a permanently compressed portion at least around the periphery of the aperture having a particular elasticity characteristic. Even if one were to interpret the permanently compressed portion of the wadding material as being felt, that interpretation would not extend to the uncompressed portion of the wadding material. Thus, every requirement set forth in the claim is not found in a single reference. Accordingly, the Section 102 rejection is improper and must be withdrawn.

35 U.S.C. § 102 - Resta

Applicant requests reconsideration of the rejection of claims 1-3, 7, and 20 under 35 U.S.C. § 102(a) as being anticipated by US Patent No. 6,032,345 (Resta).

Resta discloses a washer made of "woolly material" having "an eyelet" forming a hole at the center (see Resta, column 3 lines 43-46). The eyelet compresses the woolly material. However, there is no suggestion in Resta that the eyelet is elastic as required by the claims. Further, washers of this type are well known. As described in the application from page 5 line 25 to page 6 line 4 these eyelets are metal and have a fixed size. The eyelets are not elastic. Thus, every requirement set forth in the claim is not found in a single reference. Accordingly, the Section 102 rejection is improper and must be withdrawn.

35 U.S.C. § 103 - APA or Resta

Applicant requests reconsideration of the rejection of claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art or Resta.

As discussed above, neither of these references suggests a washer having the claimed structure. Thus, the Section 103 rejection is improper and should be withdrawn.

35 U.S.C. § 103 - Resta in view of Patchen

Reconsideration is requested of the rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Resta in view of US Patent No. 1,887,066 (Patchen).

As discussed above, Resta fails to disclose or suggest a washer having the claimed structure. Rather, Resta discloses a washer having an eyelet. Resta does not suggest that the eyelet is elastic as required by the claim.

Patchen is cited for its disclosure of cuts in the aperture area to provide flexibility. Like Resta, Patchen fails to disclose or suggest a washer comprising wadding material having a permanently compressed portion at least around the periphery of an aperture having a particular elasticity characteristic. Because neither reference suggests this claim requirement, and their combination does not suggest it, the Section 103 rejection is improper and should be withdrawn.

Allowable Subject Matter

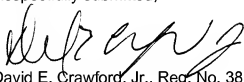
Applicant acknowledges the allowability of Claim 4. Claim 4 has been amended to be in independent form.

Conclusion

In view of the foregoing, applicants believe claim 1 and all claims depending from claim 1 are patentable. Therefore, applicants respectfully request withdrawal of the restriction and favorable consideration and allowance of all claims; claims 1-3, 5-14, 20 and 27.

Applicants believe no fees are due with regards to this response. However, in the event of an error, the Commissioner is hereby authorized to charge any fees due to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Crawford, Jr.", is written over the typed name and firm name.

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